

MEMORANDUM

To: File  
From: Edward E. Armenta, Forest Supervisor *EA*  
Date: July 25, 2016  
Subject: Forest Order #05-04-50-16-08

The Inyo National Forest "Interagency Fire Restriction Plan" approved May 13, 2015, and Forest Service Manual – 5110.4, give authority and guidance on implementing actions which reduce the risk of certain ignition sources. Criteria for activation of prohibitions through Forest Orders are based on a combination of National Fire Danger Rating System indices, fuel moisture conditions, fire occurrence and/or behavior, forecasted weather, resource depletion, or the related State or National Preparedness Levels.

Although the Forest need only meet two of the measurable criteria, it has now met at least four. Specifically, they are; (1) fuel moistures for thousand hour time lag fuels are at the 90% for the Eastern Sierra Special Interest Group as posted on the Southern California Geographic Area Coordination Center (GACC) website; (2) the Three-day mean Energy Release Component is at the 90% or above in the Forest's representative fuel model; (3) the Forest now has depleted resources due to large fire activity throughout California; (4) the Southern California GACC Preparedness Level is at Level 3. Conditions are forecasted to deteriorate throughout the summer, with forecasted high temperatures throughout most of the Inyo National Forest to rise above 100 degrees for the next 10 days.

In this year's original Forest Order regarding fire restrictions, certain Wilderness Areas were exempted from the fire restrictions. This Order eliminates those exemptions, as conditions worsen and wildland firefighting resources become scarcer.

Exemptions from the restrictions, defined by geographic locations, or activities governed by permit are in place within the Forest Order. Due to the likelihood of ignition, measures requiring removal of flammable vegetation or a requirement to have extinguishment equipment on site will be imposed in the permit. These requirements or conditions of permit reduce the potential for fire ignitions.

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 CFR 220.6(d)(1) – prohibitions to provide short-term resource protection or to protect public health and safety – and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure. Implementation of the decision may begin immediately.



ORDER NO. 05-04-50-16-08

USDA Forest Service

Inyo National Forest

Fire Restrictions

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to protect natural resources and provide for public safety, the following acts are prohibited within the Inyo National Forest. This Order is effective from July 29, 2016, until the declared end of the 2016 fire season.

1. Building, maintaining, attending or using a fire, campfire, or stove fire, except in the Developed Recreation Sites shown on Exhibit A. 36 CFR 261.52(a).
2. Smoking, except within an enclosed vehicle or building, within the Developed Recreation Sites shown on Exhibit A, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials. 36 CFR 261.52(d).
3. Welding, or operating an acetylene or other torch with an open flame. 36 CFR 261.52(i).
4. Using an explosive. 36 CFR 261.52(b).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order.

1. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission. Persons with a valid California Campfire Permit are not exempt from the prohibitions listed above. However, persons with a valid California Campfire Permit may use a portable stove or lantern using gas, jellied petroleum, or pressurized liquid fuel.
2. Any Federal, State or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Persons with a Special Use Permit from the Forest Service for a recreation residence in one of the residence tracts shown on Exhibit B are exempt from Prohibition No. 1 while they are at their recreation residence, provided that the activity is done in compliance with the terms of the permit.
4. Persons with a Special Use Permit from the Forest Service for an organizational camp or a resort shown on Exhibit B are exempt from Prohibition No.1 while at their organizational camp or resort, provided that the activity is done in compliance with the terms of the permit.

These prohibitions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

This order supersedes order no. 05-04-50-16-07, dated June 30, 2016.

Done at Bishop, California, on this 25 day of July, 2016.

A handwritten signature in dark ink, appearing to read 'E. Armenta', written over a horizontal line.

Edward E. Armenta  
*Forest Supervisor*  
*Inyo National Forest*